Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 914-01563-6024-147		Date: 03/19/14	Time: 1730 Hrs.
Location: 660 S. Figueroa St.		City or Station: Los Angeles	
Bureau/Station/Facility: HSD/Transit Services Bureau/South		Admin. Investigation: ○ YES ◉ NO	
Type of Force: Control Hold/ Resistive			
Incident Category: ○ 1 ◉ 2 ○ 3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit	☐ Vehicle Pursuit
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Valencia	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Duncan		First Name: Charles		Middle I.: W	Rank: DSG
Sex: ◉ M ○ F	Race: B	Height: 508	Weight: 185	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: HSD/Transit Services Bureau/South			Work Assignment (Unit #, Module, etc.): 605F1			
Individual Force Used: Control Hold/Resistive			○ Directed ○ Rescue ○ Medical Assist			Individual Category ○ 1 ◉ 2 ○ 3
☐ Injured ☐ Treated ☐ Admitted	Facility:					Coroner Case #

E 2

Employee #: [redacted]	Last Name: Vides		First Name: Emma		Middle I.: V	Rank: DSG
Sex: ○ M ◉ F	Race: H	Height: 504	Weight: 125	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: HSD/Transit Services Bureau/South			Work Assignment (Unit #, Module, etc.): 605F1			
Individual Force Used: Control Hold/Resistive			○ Directed ○ Rescue ○ Medical Assist			Individual Category ○ 1 ◉ 2 ○ 3
☐ Injured ☐ Treated ☐ Admitted	Facility:					Coroner Case #

E _

Employee #:	Last Name:		First Name:		Middle I.:	Rank:
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:			Work Assignment (Unit #, Module, etc.):			
Individual Force Used:			○ Directed ○ Rescue ○ Medical Assist			Individual Category ○ 1 ○ 2 ○ 3
☐ Injured ☐ Treated ☐ Admitted	Facility:					Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	Sgt	YES ◉ NO ○	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Hoffman	Richard		Lt.

Watch Commander / Supervising Lieutenant's **Signature:** ______ Date ______ Copy Provided to Employee by: ______ Emp #: ______

Unit Commander **(Print Name)** ______ Unit Commander's **Signature**: ______ Emp #: ______ Date ______

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 4 - 0 1 5 6 3 - 6 0 2 4 - 1 4 7

Suspect Information

S 1

Last Name: Tuggle | First Name: Marvin | Middle Name: Lewis | Armed? Select: Not Armed

AKA Last Name: Davis | First Name: Marcus | Middle Name:

Sex: (●) Male ( ) Female | Race: B | Age: 44 | Height: 507 | Weight 150 | D.O.B: 01/30/70 | Phone #1: ( ) H ( ) W (●) C No Phone | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3899-794 | Primary Charge Code: 422P.C. | Secondary Charge Code: 640(d)(1)P.C. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: LAFD | Unit: 803 | Phone #: (213)485-6185

Hospital Admission? ☐ | Rec'd Treatment At: California Hospital | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. D. Grandara | Address: 1338 S. Hope St., Los Angeles | Phone #: (213)232-8932

Under Influence: (●) YES ( ) NO | Substance: Alcohol | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 03/19/14 | Time: 1834 | ☐ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

914 - 01563 - 6024 - 147

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Tuggle	S1	Duncan	E1	RS	NN	
Tuggle	S1	Vides	E2	RS	NN	
Tuggle	S1	Duncan	E1	UC	NN	
Tuggle	S1	Vides	E2	UC	NN	
Duncan	E1	Tuggle	S1	CT	NN	AR
Vides	E2	Tuggle	S1	CT	NN	AR

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

IAB#: FO2352213

Unit: Transit Services Bureau

Involved Employees:

DUNCAN, CHARLES	Deputy Sheriff	Emp. #[redacted]
VIDES, EMMA	Deputy Sheriff	Emp. #

Date: March 19, 2014, Wednesday

Time: Approximately 1750 Hours

Location: 660 S. Figueroa St. Los Angeles, CA 90017; Blue Line Platform 2, 7th/Metro Station

Urn# 914-01563-6024-147

SYNOPSIS

This case pertains to a use of force wherein the suspect was initially handcuffed in a cooperative manner, walked for a distance by deputy escort and then "went limp," becoming resistive, necessitating two deputies to carry him by his arms to an elevator. The suspect was lying on the ground, untouched, with the deputies standing to his side waiting for the elevator door to open. When the elevator door opened, the suspect attempted to stand on his own volition and suddenly lunged forward, falling on his face into the floor of the elevator. The suspect sustained an injury to the left side of his head, breaking his left eye orbital.

The suspect claims the deputies threw him into the elevator and slammed his head into the floor. The suspect claimed that his injuries were a direct result of the deputies using force against him. Suspect Tuggle was booked on charges of Terrorist Threats (422 PC) for threatening to kill the deputies and their families (See **Exhibit A** – LASD Incident Report).

The location is an underground PAX station and the incident occurred during rush hour, with hundreds of mass transit users going and coming from the train platform and walking by the incident as it occurred.

The suspect was treated at the scene by Los Angeles City Fire/Paramedics and transported to California Hospital where he was treated for his injuries. Upon X-ray of the Suspect's eye, it was discovered and confirmed by hospital medical personnel that the suspect's left orbital had been fractured (See **Exhibit B; CD #1** – "Okay-To-Book" and Medical Release Paperwork along with Pictures of the Suspect's Injuries).

Internal Affairs Bureau Lieutenant Dominic Valencia was notified of the incident the same day at 2200 hours. Lieutenant Valencia, along with IAB Sergeants Jeffrey Smith and Brenda Parker responded to the Inmate Reception Center upon being notified that the suspect suffered a broken orbital during a use of force incident. IAB Sergeant Jeffrey Smith assumed the handle of the investigation.

INVOLVED PERSONNEL:

Duncan, Charles – Deputy Sheriff, Employee #[redacted] MB/[redacted] 508/185lbs.
Transit Services Bureau - Patrol
Homeland Security Division

Date of Employment: 01/17/2007
Date Assigned to Unit: 02/23/2014
Prior Founded Force Incidents: [redacted]

Vides, Emma – Deputy Sheriff, Employee #[redacted] FH/[redacted] 504/125lbs.
Transit Services Bureau - Patrol
Homeland Security Division

Date of Employment: 02/26/2006
Date Assigned to Unit: 09/02/2012
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

Tuggle, Marvin
Sex: M
Date of Birth: 01/30/1970
Height: 507
Weight: 150
Booking # 3899794
Charge: 422 P.C.
Injury: Head Injury, Broken Left Orbital.

A copy of Suspect Tuggle's [redacted] history is included in **Miscellaneous Documents.**

CASE SUMMARY

On March 19, 2014, at approximately 1730 hours, Deputies Duncan and Vides, working Unit 605F1, were on foot patrol on Platform 2 of the 7th and Metro PAX station conducting fare enforcement. They heard a person making loud noises and responded to the source of the noise. They saw a male Black (Suspect Tuggle) drinking a beverage from a black plastic bag and talking/yelling loudly. He was standing in the area between the turnstiles and the loading platform for the trains. As they approached Suspect Tuggle they noticed it was a beer that he

was drinking. They contacted him to advise him that there was no drinking on the platform. The deputies were both telling him to stop drinking the beer but Suspect Tuggle continued to drink the beer despite their orders not to, and began yelling profanities and refused to stop drinking. He was yelling in order to gain the attention of other train patrons stating he was being harassed by the police.

Deputy Duncan took the beer from Suspect Tuggle and threw it in the trash can. Deputy Duncan asked Suspect Tuggle for his TAP card and identification. Suspect Tuggle refused to provide either and continued swearing at the deputies and yelling loudly.

IAB Note: A "TAP" card is a plastic card that contains state of the art smart chip technology which allows passengers to electronically purchase and load Metro passes. Patrons that are inside the turnstiles "side" of the Platform of a Metro train station are required to have paid credit/valid fare for riding the trains on their TAP card.

Due to the fact that Suspect Tuggle was yelling and causing a disturbance, the deputies handcuffed Suspect Tuggle, without incident, in order to escort him to their patrol car which was parked on the street upstairs, outside the train station. They began walking Suspect Tuggle toward the elevator with Deputy Vides holding one of Suspect Tuggle's arms and Deputy Duncan the other arm.

As they passed through the fare turnstiles, Suspect Tuggle "went limp," refusing to walk on his own any further. He continued to yell at the deputies and called out to train patrons walking through the station, stating he was being harassed by the police and to call 9-1-1.

The distance from the turnstiles to the elevator was approximately 50-60 feet. The deputies carried Suspect Tuggle by the arms to the elevator with his feet dragging along the floor behind him. When they reached the elevator, the deputies placed Suspect Tuggle face down in front of the elevator door, with his head toward the door. The deputies stood on each side of him (See **Exhibit C; CD #1** - Photos of Location).

As they waited for the elevator car to arrive, Suspect Tuggle continued yelling at the train patrons walking by to call 9-1-1. None of the people walking past the deputies and Suspect Tuggle stopped or paid notice to what was happening. There were no witnesses that came forward and none could be found during the initial force investigation conducted by TSB Field Sergeant, [redacted].

When the elevator car arrived and the door opened, Suspect Tuggle attempted to stand up on his own volition and suddenly lunged forward, falling forward onto his face into the floor of the elevator. His legs were partially outside the elevator. The deputies stated that his movement to get up and enter the elevator was quick and that they were not able to prevent him from losing his balance and falling into the elevator.

Suspect Tuggle stated during his interview that the deputies lifted him up and pushed him forward, slamming his head onto the floor of the elevator and that Deputy Duncan landed on top of him pushing his head down onto the floor of the elevator.

IAB Note: The floor of the elevator is covered in steel "Diamond Plating" which has a raised pattern design to prevent slipping (See **Exhibit D**).

The deputies stated that after Suspect Tuggle fell into the elevator they both entered and picked him up as the elevator car travelled upstairs to the street level. Suspect Tuggle became extremely upset, cursing at the deputies, threatening to find and kill both of them, along with their families, with his "AK-47."

They placed Suspect Tuggle into their radio car without further incident. The deputies called for a supervisor to respond to report their use of force. They also called for paramedics to treat Suspect Tuggle for his head injury. Suspect Tuggle was subsequently transported by an assisting Transit Services Unit to the hospital for further treatment (See **Exhibit E** – Supplemental Report).

Transit Services Bureau's Field Sergeant, [redacted], interviewed Suspect Tuggle on camera immediately after the incident and upon being notified by deputies Duncan and Vides that a use of force had occurred with Suspect Tuggle (See **CD #2**).

Deputy Vides was ordered to write a supplemental report detailing her use of force during the incident (See **Exhibit F** – Supplemental Report).

Transit Services Burea[redacted] submitted a video download request form for video captured from the Metro Rail Operations Control video system (See **Exhibit G**). The video that was captured was not of the correct area needed. The video showed the area directly adjacent to the train tracks. The contact with Suspect Tuggle occurred between the train loading/unloading area and the turnstiles. When the error was discovered, the two-week timeframe to obtain video captured by the system had expired (See **CD #3**).

IAB Note: TSB Detective Bureau Sergeant Eric Jaime and Crime Analyst Michael Morris manage the requests for video downloads through the Metro Rail Operations System. IAB investigators contacted both Sergeant Jaime and Mr. Morris regarding any possibility to obtain video footage. They both stated that the timeframe had passed for their ability to download the footage. They also stated that there is not a camera angle that captures the area in front of the elevator.

DEPARTMENT WITNESSES:

None

NON-DEPARTMENT WITNESSES:

None

INVOLVED EMPLOYEE STATEMENTS:

Deputy Charles Duncan

Deputy Charles Duncan was interviewed on June 19, 2014 at 1339 hours, by Internal Affairs Bureau Sergeant Jeffrey Smith and Sergeant John Adams. The interview was conducted at IAB and was digitally audio recorded. Deputy Duncan was interviewed with representation by Ms. Elizabeth Gibbons of the Law Firm of Green and Shinee. Deputy Duncan is a Patrol Deputy assigned to Transit Services Bureau (See **CD #2** - Audio).

Deputy Duncan said he authored a crime report (SHAD-49), documenting the event and his actions (See **Exhibit A)**. He stated his report was a full, complete, and accurate account of the incident.

Deputy Duncan said he was working fare enforcement with his partner, Deputy Vides, at the 7th and Metro PAX station on March 19, 2014. He said they were policing in the area between the ticket turnstiles and the platform adjacent to the train tracks. He said he heard someone talking loudly. As he looked in the direction of the noise and walked towards it, he saw a male black (Suspect Tuggle) drinking a beverage from a black bag.

During the interview, Deputy Duncan marked three photographs depicting; 1 - The area where they contacted Suspect Tuggle near a support column; 2 - The area where they laid Suspect Tuggle in front of the elevator; and 3 - the floor of the elevator where Suspect Tuggle landed when he fell (See **Exhibit H**).

Deputy Duncan said they walked over to Suspect Tuggle and noticed that it was a beer that he was drinking. They contacted him to advise him that there was no drinking on the platform. He said he and his partner, Deputy Vides, were both telling him to stop drinking the beer however, Suspect Tuggle refused their order and continued to drink the beer. He then started yelling profanities at the deputies as he drank the beer.

Deputy Duncan stated he took the beer from Suspect Tuggle and threw it in the trash can. Deputy Duncan asked Suspect Tuggle for his TAP card and identification. Suspect Tuggle refused to provide either and began swearing at the deputies and yelling loudly.

IAB Note: A TAP card is a "Transit Access Pass" that is required fare for persons inside the turnstiles. Persons without a valid TAP card on the platform are subject to citation.

Because of Suspect Tuggle's boisterous behavior and the amount of people on the platform, they handcuffed Suspect Tuggle and began to escort him toward the turnstiles. Suspect Tuggle did not resist the handcuffing and initially walked with the deputies towards the turnstiles and the exit. He said Suspect Tuggle was yelling at other people on the platform to, "Call 911, this is harassment!, this is police brutality!" Suspect Tuggle was yelling in an attempt to gain their attention. Deputy Duncan said no other persons on the platform interfered or seemed to take special notice of their detention of Suspect Tuggle.

Deputy Duncan explained that it was quite a distance to the elevator and as they passed through the turnstiles, Suspect Tuggle stopped walking and "went limp." Deputy Duncan said he and his partner each had a hold of his arms above the elbow and began to carry Suspect

Tuggle approximately 50 to 60 feet to the elevator, as he drug his feet on the ground, refusing to walk.

Deputy Duncan said as they reached the elevator in order to go upstairs where their radio car was parked, they placed Suspect Tuggle on the ground in front of the door of the elevator as they waited for it to come down to their level. Deputy Duncan stated he and his partner were standing adjacent to Suspect Tuggle as they waited for the elevator.

Suspect Tuggle was placed lying face down on the ground with his head towards the elevator door and continued to yell. The elevator came down from the street level and when the doors opened, Suspect Tuggle attempted to stand up on his own. As he attempted to stand up and enter the elevator, Deputy Duncan stated Suspect Tuggle quickly lunged forward, falling forward into the elevator. He struck his head and left side of his face on the floor of the elevator.

Deputy Duncan said that Suspect Tuggle's actions in standing up, occurred very quickly, and he (Duncan) was not able to assist or control Suspect Tuggle in standing up before he fell forward into the elevator.

Deputy Duncan stated after Suspect Tuggle fell into the elevator he became mad and began threatening the deputies. The deputies rode the elevator with Suspect Tuggle to the street level and summoned L.A. City Fire Department paramedics to treat him for his injuries. Suspect Tuggle was taken to the hospital by an assisting Transit Services Bureau unit.

Deputy Emma Vides

Deputy Emma Vides was interviewed on June 19, 2014 at 1414 hours, by Internal Affairs Bureau Sergeant Jeffrey Smith and Sergeant John Adams. The interview was conducted at IAB and was digitally audio recorded. Deputy Vides was interviewed with representation by Ms. Elizabeth Gibbons of the Law Firm of Green and Shinee. Deputy Vides is a Patrol Deputy assigned to Transit Services Bureau (See **CD #2** - Audio).

Deputy Vides said she authored a supplemental report, documenting the event and her actions regarding her use of force. She stated her report was a full, complete, and accurate account of the incident (See **Exhibit A)**.

Deputy Vides stated she and her partner, Deputy Duncan were conducting fare enforcement within the platform area of the 7th and Metro PAX station. She said Deputy Duncan heard someone being loud. The person was between the turnstiles and the train entrance/exit platform. As they walked toward the noise, Deputy Vides said she saw Suspect Tuggle drinking an alcoholic beverage. She said Deputy Duncan told Suspect Tuggle to throw the beer away but he continued to drink it and then swore at the deputies.

Deputy Vides stated that Deputy Duncan took the beer away from Suspect Tuggle and threw it in the trash can. Suspect Tuggle continued to be loud and boisterous. He did not have any identification nor a TAP card. There were hundreds of people walking to and from the train platform so for their safety, they handcuffed Suspect Tuggle to escort him to their patrol car. He was handcuffed without incident.

Deputy Vides said that as they were walking Suspect Tuggle through the turnstiles, toward the elevator, he refused to walk any further and went limp. She stated she was holding him by his

left arm. She stated that she and Deputy Duncan had to carry him to the elevator where they placed him on the ground as they waited for the elevator to open.

Deputy Vides explained that she was very tired from carrying Suspect Tuggle as they arrived in front of the elevator. They placed Suspect Tuggle on the ground as they waited for the elevator to come to their floor and open. She said she and Deputy Duncan let go of Suspect Tuggle and were standing on both sides of him as he lay of the ground. Suspect Tuggle continued to move around on the ground, moving his head from side to side and yelling at train passengers walking by asking them to call 9-1-1 and claiming police brutality.

When the door opened, Deputy Vides said Suspect Tuggle suddenly tried to stand up and lunged forward when the elevator door opened. She said Suspect Tuggle landed face first inside the elevator. She added that she was standing just to the side of the elevator door and did not actually see Suspect Tuggle's face strike the floor of the elevator. She added that his legs were still outside the elevator when he landed inside.

Deputy Vides stated that although Suspect Tuggle was moving around on the floor as he was yelling, he gave no indication that he wanted to stand up while waiting for the elevator door to open. She said his movement to attempt to stand and enter the elevator was sudden and uncontrolled.

Deputy Vides said they picked him up and assisted him inside the elevator. Suspect Tuggle continued to yell at the deputies and make death threats and threats of lawsuits. The deputies picked him up to stand and they all rode the elevator up to the street level where their radio car was parked.

Deputy Vides said they called for a supervisor and paramedics to treat Suspect Tuggle for his injuries.

SUSPECT'S STATEMENTS:

Suspect Marvin Tuggle was interviewed on March 20, 2014 at 0029 hours at the Inmate Reception Center (IRC) after he was treated for his injuries at the hospital. The interview was conducted by Internal Affairs Bureau Sergeant Jeffrey Smith and Sergeant Brenda Parker, along with Lieutenant Dominic Valencia. The interview was conducted in booking cell #102 at IRC and was digitally audio recorded (See **CD #4** - Audio).

Suspect Tuggle stated he had purchased a 16 ounce can of Old English 800 beer from a store outside the PAX station. He said he rode the Red Line train to the 7th and Metro Station and walked upstairs to Platform 2. He said he opened the beer and began drinking it on the Platform. He said the beer was inside a black plastic bag.

While he was on the Platform he saw two deputies, one male and one female, approach him. He said the male deputy told him to throw away the beer in the trash can. Suspect Tuggle said he continued to drink the beer because he had paid for it. The deputy then took the beer out of his hand and threw it in the trash can.

Suspect Tuggle said he was then handcuffed by both deputies. He asked them where he was being taken and he stated Deputy Duncan told him the he was taking him to his car. Suspect Tuggle stated he told the deputies that he was not going to go. He said he "just gave up."

Suspect Tuggle stated the deputies had his arms behind his back and elevated as they walked across the platform towards the elevator. At one point Suspect Tuggle said he stopped walking and went down to his knees. He said the deputies then drug him about ten feet to the elevator. He then said that when the door to the elevator opened, Deputy Duncan pushed him into the elevator floor and jumped on his head. He further described that both deputies then smashed his head into the floor of the elevator. He said Deputy Duncan was yelling at him about disrespecting him and, "talking shit." He could feel the pressure of Deputy Duncan on top of him, pressing him to the elevator floor.

Suspect Tuggle was asked if the deputies hit or kicked him and he said no. He further stated that when his head hit the floor, he lost consciousness for about six seconds. He felt some blood around his left eye.

Suspect Tuggle said he exchanged some words with the deputies because he was very mad about what had happened.

SUSPECT'S INJURIES:

Suspect Tuggle was treated initially at the scene while inside the radio car by Los Angeles City Fire Department Paramedics. He was then transported to California Hospital Medical Center via radio car where he was treated in the Emergency Room by Attending Physician; Doctor Maria Gandara.

Suspect Tuggle's injuries included a fractured orbital to the left eye and small laceration (Hematoma) above the left eye. He was treated and given an "Okay-To-Book" (See **Exhibit B** - Hospital Discharge Diagnosis and Instructions).

IAB Note: Photos of the Tuggle's injuries were taken during the IAB interview process at IRC upon his release from the hospital (See **CD #1** – Photos).

INJURIES TO DEPUTY PERSONNEL:

None

PHYSICAL EVIDENCE:

None

INVESTIGATOR'S OBSERVATIONS:

Nothing unusual at scene.

IAB Note: IAB investigators took still photos of the scene on the date of the incident (See **CD #1** - Photos).

WEAPONS USED BY DEPUTY PERSONNEL:

None

WEAPONS USED BY SUSPECT:

None

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATION and CHARGES FILED:

Suspect Tuggle was booked for 422 PC charge at the Inmate Reception Center.

A Plea agreement was reached between the District Attorney and Suspect Tuggle regarding the charges in this case. Suspect Tuggle was released from LASD custody on July 24, 2014 (See **Miscellaneous Documents**).

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

Indoors; Clear; Dry; Metro Station train platform general lighting conditions.

OTHER:

Patrol Unit Details for Deputies Duncan and Vides and Incident detail printouts for the arrest incident Tag 954 on March 19, 2014 are included in this case book (See **Miscellaneous Documents)**.